

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 14-189—HB 5334
General Law Committee

AN ACT ESTABLISHING AN OFF-SITE FARM WINERY SALES AND TASTING PERMIT

SUMMARY: This act creates an off-site farm winery sales and tasting permit that allows farm winery permittees to sell bottles of wine and offer free samples of wine manufactured on the farm at up to seven off-site events or functions per year. An off-site farm winery sales and tasting permittee may offer these sales and tastings at events held by temporary liquor, charitable organization, or nonprofit permittees. These temporary or daily permits allow noncommercial, charitable, and nonprofit organizations to sell alcohol at their events.

At least five business days before an off-site farm winery sales and tasting permittee holds an off-site sale or tasting, he or she must notify the Department of Consumer Protection (DCP), on a commissioner-prescribed form, of its date, hours, and location. The permittee or authorized representative must be present whenever a bottle of wine is sold or a free sample is offered.

Under the act, the DCP commissioner must issue an off-site farm winery sales and tasting permit to a farm winery permittee who submits proof that he or she is complying with the farm winery statutes. The permit is valid for one year and has a \$250 annual fee with a \$100 nonrefundable filing fee.

The act allows towns or municipalities to prohibit off-site farm winery sales and tasting permittees from selling bottles of wine or offering free wine samples through an ordinance or zoning regulation.

By law, liquor permittees are banned from holding liquor permits in different permit classes, unless specifically exempted. Under prior law, a farm winery manufacturer permittee could hold an in-state transporter's permit, a wine festival permit, farmers' market wine sales permit, or any combination of these. The act adds the off-site farm winery sales and tasting permit to the exemption, thus allowing a farm winery manufacturer permittee to concurrently hold any of these permits.

EFFECTIVE DATE: July 1, 2014

OLR Tracking: DC:KLM:JKL:am